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BARRY GILBERT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BARRY GILBERT,

Plaintiff,

vs.

MDK MOTORSPORTS, LLC, a California Limited
Liability Corporation; MARK KVAMME, and
individual; DOES 1-20, inclusive

Defendants.

CASE NO. 3:09-CV-00595-BZ

**PLAINTIFF'S NOTICE OF
VOLUNTARY DISMISSAL OF
COMPLAINT WITHOUT
PREJUDICE**

[Fed.R.Civ.P. 41(a)(1)]

TO THE COURT AND DEFENDANTS' COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, BARRY GILBERT, hereby voluntarily dismisses, as against all Defendants and without prejudice, its Complaint and all causes of action set forth therein. This voluntary dismissal is effective immediately.

Dated: March 13, 2009

GORDON & REES LLP

By: /s/ Paula Kutansky Brown
PAULA KUTANSKY-BROWN
Attorneys for Plaintiff
BARRY GILBERT